



**STANISLAUS COUNTY
IHSS ADVISORY COMMITTEE MEETING
MINUTES**

09/13/02

Committee Members Present: Jeff Lambaren Kenny Brown Madelyn Amaral
 Rose Martin Dwight Bateman Jose Acosta
 Ora Scruggs Connie Muller

Committee Members Absent: Toni Hector Bonnie Cyphers

IHSS Staff Present: Maria Childers Paul Birmingham Larry Baptista

CSA Staff Present: Ted Martin

OPENING REMARKS by CHAIRMAN JEFF LAMBAREN

- Meeting called to order at 1:10 p.m.
- Announcement made allowing for public comment.

PUBLIC COMMENT

- No public comment presented.

ACCEPTANCE OF MINUTES

- September 6, 2002 minutes: Motion M/S/A to accept minutes with no corrections.

BUDGET UPDATE by Paul Birmingham

- No new budget information was presented.
- Paul Birmingham contacted Mary Ellen Ewert from Driver Alliant Insurance Services regarding insurance for negligent conduct of providers.
 - 5 Counties had signed up for AB 1682 related liability policies under Driver Alliant’s old insurance carrier. The new insurance carrier has already cancelled one of those policies.
 - The new carrier may refuse to write additional policies and may cancel the remaining 4 Counties policies.
 - There are 50 Counties in a special insurance program pool and Stanislaus County is one of them. The County can use that as an avenue to claim insurance.
 - Mary Ellen e-mailed Paul an application form to fill out to give him a quote on insurance.
- Paul believes that it would cost the County \$60,000 in insurance costs.



MEMBERSHIP/BYLAWS UPDATE

- Passed out copies of the bylaws draft regarding attendance and absences.
- Passed out copies of 'Stanislaus County IHSS Advisory Committee Bylaws Draft typed by committee member Kenny Brown.
- Committee reviewed both drafts.
- Motion: M/S/A to accept bylaws regarding attendance and absences.
- Committee wants to ratify the mission statement. The mission statement should not be longer than 3-5 sentences long.
- Dwight Bateman suggested that the committee go on a half-day retreat to discuss our mission statement. The mission statement should address the providers and recipients.
- The Committee directed CSA staff to research a time and location for a mission statement retreat, if at all possible.

REVIEW OF BOARD COPIES OF THE "EMPLOYER OF RECORD" RECOMMENDATION

- Jeff Lambaren asked Larry Baptista not to bring recommendation reports to the meeting since changes were forthcoming and the recommendation date had not yet been set.
- Dwight Bateman suggested that the word "current" be stricken from the second paragraph on the fourth page on the recommendation draft. He also stated to add an "s" to "organization" in the same paragraph. CSA staff to make correction.

PREPARATIONS FOR BOARD OF SUPERVISORS' MEETING

- Committee is possibly looking for a 9 o'clock morning meeting either on Tuesday, October 1 or Tuesday, October 8, 2002.
- The Committee is still waiting on information regarding insurance.
- Committee decided to wait until next meeting to discuss this item.

UPDATE HOMEMAKER MODE

- Passed out copies of two counties (San Luis Obispo and Tuolumne) job description/classification of a Homemaker Mode position.
- San Luis Obispo County has a title of "Personal Care Aide", but the committee prefers the "Homemaker" title.
- The Committee has to get the CEO's office to bring back the classification since it has not been filled since the 1970's.
- Maria Childers talked to San Luis Obispo County and they have had their "Personal Care Aide" since 1996 and they use theirs for emergencies only and in APS. They have about 1,300 recipients and 4 personal care aides that are on an on-call rotation.
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FUTURE CONSIDERATION OF PUBLIC AUTHORITY

- Committee decided to wait until next meeting to discuss this item.

QUESTIONS AND ANSWERS

- None were presented

ANNOUNCEMENTS

- None were presented

AGENDA ITEMS FOR NEXT MEETING

- Committee membership/bylaws
- Preparations for Board of Supervisor's Meeting
- Future consideration of Public Authority
- Update of Homemaker Mode

Meeting adjourned @ 2:25 p.m.
Larry Baptista, Recorder

Stanislaus County IHSS Advisory Committee By-Laws Draft

1. Mission Statement

- a. The Stanislaus County IHSS Advisory Committee exists to advise the Stanislaus County Board of Supervisors on the operations of the IHSS program.
 - i. This committee was established on September 13, 2001 by order of the Stanislaus County Board of Supervisors.
 - ii. The Stanislaus County IHSS Committee was established chiefly for the purpose of coming to a resolution regarding the "Employer of Record" for IHSS providers pursuant to the state of California statute AB-1682. After this issue is decided, the IHSS Advisory Committee may be retained to advise the Board of Supervisors regarding the operations of the IHSS program, at the discretion of the Board of Supervisors.
 - iii. The committee consists of no more than 11 members and no less than 6 members. More than half of the members are to represent recipients of IHSS services, the remaining members are to represent IHSS providers the final member is to be a County Employee.
 - iv. If there are fewer than 11 members on the Committee, Recipients must continue to occupy a majority of the committee seats.
 - v. There must be at least 1 county employee on the committee.
 - vi. Members are to be randomly selected to serve for either a 2 or 3-year term.

2. Meeting Procedure

- a. Except when otherwise noted, the committee meetings are to be governed according to "Robert's Rules of Order"
- b. Pursuant to the Brown act, meetings must be made open to the public, and agendas must be publicly posted at least 48 hrs before the scheduled start time for meetings.
- c. Members may not meet privately to discuss committee business.
- d. Members of the Public must be given the opportunity to speak during meetings. Each person may be limited to 5 minutes of speaking, at the discretion of the Chairman.
- e. The Chairman may choose to eject from the meeting any unruly members of the public who are disruptive to the normal operations of the meeting. This action must be approved by a 2/3 majority of the committee members present.
- f. Items that are not posted on the Agenda may only be discussed by special order of the committee. If a member of the public or of the committee wishes to discuss an item not on the agenda, the committee must vote whether to discuss the item immediately or to table the item for the next meeting. There must be a 2/3 majority of members wishing to discuss the item immediately.

- 3. Requirements for Membership, and procedure of Member selection.**
- a. As new members are appointed to the committee, the committee must continue to be composed of the required balance of Providers, Recipients and County employee.
 - b. The Board of Supervisors must approve prospective Member applications.
 - c. New members must be approved by a majority of current Committee members.
 - d. Committee members are expected to regularly attend committee meetings.

4. Excused Absences, Unexcused Absences, Leave of Absence

- a. Excused Absences
 - i. An Excused Absence is defined as a missed meeting without at least 24 hr. notification to staff.
 - ii. We recognize that Committee member may occasionally miss meeting due to health difficulties or situations that may arise involving the Recipients they care for.
 - iii. Committee member are asked to notify staff at least 24 hrs before any meeting(s) they will be unable to attend.
- b. Unexcused Absences
 - i. An Unexcused Absence is defined as a missed meeting without notification to staff.
 - ii. If a member misses 3 meetings within a 1-year period, the Chairman may dismiss from the Committee. The dismissal must be approved by a 2/3 majority of the Committee.
- c. Leave of Absence
 - i. A Leave of Absence is defined as a defined future period during which a Committee member will be unable to attend Committee meetings.
 - ii. If a Committee member has a medical problem that will prevent them from attending meetings for a period of time of 1-3 months, they may apply for a Leave of Absence.
 - iii. Their application for a Leave of Absence must be approved by a 2/3 majority of the Committee.

5. Another Item

- a. Definition and procedure

6. Maybe one more

- a. Def and proc

BYLAWS DRAFT

DRAFT

VACANCIES

A. Absences

A member who is absent from a total of three regular meetings within one calendar year, who has not given advance notice, shall be notified, in writing, by the chairperson that his/her absences will be discussed at the next regular meeting of the committee, and a vote taken, in the presence of the quorum, to recommend to the appointing authority that the member be removed from the committee.

B. Termination

A member may be removed from the Committee by the appointing authority upon the recommendation of the Committee by a 2/3 vote of the Board members.

C. Attendance at Meetings

Members are expected to attend all meetings of the committee. A member who is unable to attend a meeting shall give advance notice of his/her inability to attend, either to the Committee Chairperson, or the Committee Staff.